

Fill in this information to identify your case:

United States Bankruptcy Court for the:

NORTHERN DISTRICT OF GEORGIA - ATLANTA DIVISION

Case number (if known) Chapter 7

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Spagett, LLC

2. All other names debtor used in the last 8 years DBA Bar Americano
Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 81-4241843

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	24 Leslie Street NE Atlanta, GA 30307 Number, Street, City, State & ZIP Code	
	Fulton County	Location of principal assets, if different from principal place of business
		Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor
☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☐ Other. Specify:

Debtor **Spagett, LLC**
Name

Case number (if known)

7. Describe debtor's business**A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?**Check one:**

- ☒ Chapter 7
- ☐ Chapter 9
- ☐ Chapter 11. **Check all that apply:**
- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.
- ☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?☒ No.☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?☐ No☒ Yes.

List all cases. If more than 1, attach a separate list

Debtor	See Attachment	Relationship	_____
District	_____	When	_____
		Case number, if known	_____

Debtor **Spagett, LLC**
Name

Case number (if known)

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other

Where is the property?

Number, Street, City, State & ZIP Code

Is the property insured?

☐ No

☐ Yes. Insurance agency

Contact name

Phone

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

☐ Funds will be available for distribution to unsecured creditors.

☒ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

☒ 1-49

☐ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

15. Estimated Assets

☒ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☐ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

16. Estimated liabilities

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☒ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

Debtor **Spagett, LLC**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **December 30, 2018**
MM / DD / YYYY

X /s/ Michael J. Blydenstein
Signature of authorized representative of debtor

Title **Partner**

Michael J. Blydenstein
Printed name

18. Signature of attorney

X /s/ G. Frank Nason, IV
Signature of attorney for debtor

Date **December 30, 2018**
MM / DD / YYYY

G. Frank Nason, IV 535160
Printed name

Lamberth, Cifelli, Ellis & Nason, P.A.
Firm name

**1117 Perimeter Center West
Ste. N313
Atlanta, GA 30338**
Number, Street, City, State & ZIP Code

Contact phone **404-262-7373**

Email address **fnason@lcnlaw.com**

535160 GA
Bar number and State

Debtor **Spagett, LLC**
Name

Case number (if known)

Fill in this information to identify your case:

United States Bankruptcy Court for the:

NORTHERN DISTRICT OF GEORGIA - ATLANTA DIVISION

Case number (if known)

Chapter **7**

☐ Check if this an amended filing

FORM 201. VOLUNTARY PETITION
Pending Bankruptcy Cases Attachment

Debtor	Earl E. Cloud, III	Relationship to you	Affiliate
District	Northern District of Georgia	When 12/30/18	Case number, if known
Debtor	Julian Kristopher Goglia	Relationship to you	Affiliate
District	Northern District of Georgia	When 12/30/18	Case number, if known
Debtor	Michael J. Blydenstein	Relationship to you	Affiliate
District	Northern District of Georgia	When 12/30/18	Case number, if known
Debtor	Paladin Hospitality, LLC dba The Pinewood	Relationship to you	Affiliate
District	Northern District of Georgia	When 10/12/18	Case number, if known 18-67292
Debtor	Southeastern Hospitality, LLC dba The Mercury	Relationship to you	Affiliate
District	Northern District of Georgia	When 10/12/18	Case number, if known 18-67291

**United States Bankruptcy Court
Northern District of Georgia - Atlanta Division**

In re **Spagett, LLC**

Debtor(s)

Case No.

Chapter

7

VERIFICATION OF CREDITOR MATRIX

I, the Partner of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **December 30, 2018**

/s/ Michael J. Blydenstein

Michael J. Blydenstein/Partner

Signer/Title

1St Global Capital LLC
1250 East Hallandale Beach Bl.
Ste 409
Hallandale, FL 33009

Ace Loan
3173 Hwy 129 North
Cleveland, GA 30528

Acuity CFO, LLC
3423 Piedmont Road NE
Atlanta, GA 30305

Advanced Color Imaging
5300 Oakbrook Parkway
Ste. 340
Norcross, GA 30093

All State Mail Services
PO Box 93717
Las Vegas, NV 89193

Alliance Funding Group
3745 W. Chapman Ave
Ste 200
Orange, CA 92868

American Express
PO Box 1270
Newark, NJ 07101

Ameripride
1081 Experiment Stn Rd
Watkinsville, GA 30677

Amur Equipment Finance, Inc.
c/o Rachelson & White
3350 Riverwood Pkwy Ste 2110
Atlanta, GA 30339

BFS Capital
3301 N. University Drive
Ste. 300
Pompano Beach, FL 33065

Bizfund, LLC
762 N. Orange Street
Ste. 762
Wilmington, DE 19801

BMI
PO Box 630893
Watkinsville, GA 30677

Buckhead Beef
4500 Wickersham Dr
Atlanta, GA 30330

Cofactor LLC
2711 Centerville Ste 400
Wilmington, DE 19808

Corporation Service Company
801 Adlai Stevenson Dr
Apopka, FL 32703

Creadibility Capital
419 Park Ave South
8th Floor
New York, NY 10016

CTI
942 Enterprise Ste B
Sacramento, CA 95825-1000

DAU Group Investments, LLC
2630 Talley Street
Unit 403
Decatur, GA 30030

East Andrews Realty, LLC
Glenridge Highlands One Ste800
555 Glenridge Connector
Atlanta, GA 30342

Fundation Group, LLC
11501 Sunset Street NE
Atlanta, GA 30307

Georgia Dept of Revenue
1800 Century Center Blvd
Ste 9100
Atlanta, GA 30345

Georgia Power
241 Ralph McGill Blvd NE
Atlanta, GA 30308

Global Financial and Leasing
Services, 6263 N Scottsdale
Ste 222
Scottsdale, AZ 85250

GTR Source
111 John Street
Ste 1210
New York, NY 10038

HAWAJE
S Concourse Pkwy
Ste 1000
Atlanta, GA 30328

Jamestown PCM Master Tenant LP
Ponce City Market
675 Ponce De Leon Ave NE
Atlanta, GA 30308

Navitas Credit Corp
One Post Office Square
Ste. 3710
Boston, MA 02109

NFS Leasing
900 Commings Center
Ste 226-U
Beverly, MA 01915

On Deck Capital
155 E 56th Street
New York, NY 10022

One Point
PO Box 1849
Woodstock, GA 30188

Paladin Hospitality, LLC
dba The Pinewood
254 W. Ponce de Leon Ave.
Decatur, GA 30030

Pawnee Leasing Corp
c/o Aldridge Pite Haan LLP
PO Box 52815
Atlanta, GA 30355-0815

Paycor
3525 Piedmont Rd NE
5 Piedmont Ctr Ste 520
Atlanta, GA 30305

PBS Capital
One Evertrust Plaza
Ste 1401
Jersey City, NJ 07302

People's United Bank
One Post Office Square
Ste. 3710
Boston, MA 02109

Rohrig Investments, LP
340 East Paces Ferry
Atlanta, GA 30305

S. Nataniel De Veaux
Kitchens Kelley Gynes PC
5555 Glenridge Conn Ste 800
Atlanta, GA 30342

Sard & Leff, LLC
3789 Roswell Rd NE
Atlanta, GA 30342

Southeastern Hospitality, LLC
dba The Mercury
675 Ponce De Leon Ave, Ste 215
Atlanta, GA 30308

Technology Insurance Company
8948 Canyon Falls Blvd
Ste 200
Twinsburg, OH 44087

Touchmark National Bank
3651 Old Milton Pkwy
Alpharetta, GA 30005

Vend Lease
8100 Sandpiper Circle
Ste. 300
Nottingham, MD 21236

**United States Bankruptcy Court
Northern District of Georgia - Atlanta Division**

In re **Spagett, LLC**

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CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **Spagett, LLC** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [*Check if applicable*]

December 30, 2018

Date

/s/ G. Frank Nason, IV

G. Frank Nason, IV 535160

Signature of Attorney or Litigant
Counsel for **Spagett, LLC**

Lamberth, Cifelli, Ellis & Nason, P.A.

**1117 Perimeter Center West
Ste. N313**

Atlanta, GA 30338

404-262-7373 Fax:404-262-9911

fnason@lcnlaw.com